

Background Information
Review Committee Discussions on Amending the
Definition of “Native American”

Native American Graves Protection and Repatriation Act

25 U.S.C. 3001, Definitions, Section 2:

(9) “**Native American**” means of, or relating to, a tribe, people, or culture that is indigenous to the United States.

Historically, the Review Committee included a recommendation to amend the definition of “Native American” in its annual reports to Congress for the following years: 2011, 2010, 2008, 2007, 2006, 2005, and 2002-2004. The wording contained in each report is reflected in the chart below, with the full reports available at:

http://www.nps.gov/nagpra/REVIEW/Reports_to_Congress/RTC_Index.htm

Background information compiled for consideration by the Review Committee includes excerpts from minutes/transcripts from the following recent meetings*:

1. Santa Fe, NM 05/12
2. Reno, NV 11/11
3. Syracuse, NY 06/11
4. Teleconference 06/10
5. Teleconference 05/10
6. Sarasota, FL 10/09

*This issue was not discussed at the Washington, DC 11/10 meeting.

The wording of each recommendation, contained in the Review Committee’s reports to Congress, is reflected below:

Review Committee’s Recommendation on Amending the Definition of Native American	
Report Year(s)	Recommendation
2011	The Review Committee recommends that Congress consider amending the Act by changing the definition of "Native American" at 25 U.S.C. 3001 (9) by adding the words "or was" so that it reads: "'Native American' means of, or relating to, a tribe, people, or culture that is, or was, indigenous to the United States." This is a complex and contentious issue, for which there is strongly felt support and opposition.
2010	The Review Committee recommends strongly that Congress amend the definition of "Native American" at 25 U.S.C. 3001 (9) by adding the words "or was" so that it reads: "'Native American' means of, or relating to, a tribe, people, or culture that is, or was, indigenous to the United States."
2009	No recommendation
2008	The Review Committee recommends strongly that Congress amend the definition of "Native American" at 25 U.S.C. 3001 (9) by adding the words "or was" so that it reads: "'Native American' means of, or relating to, a tribe, people, or culture that is or was indigenous to the United States."
2007	The Review Committee recommends strongly that Congress amend the definition of "Native American" at 25 U.S.C. 3001 (9) by adding the words "or was" so that it reads: "'Native American' means of, or relating to, a tribe, people, or culture that is, or was indigenous to the United States."
2006	The Review Committee recommends strongly that Congress amend the definition of "Native American" at 25 U.S.C. 3001 (9) by adding the words "or was" so that it reads: "'Native American' means of, or relating to, a tribe, people, or culture that is, or was indigenous to the United States."
2005	The Review Committee recommends strongly that Congress amend the definition of "Native American" at 25 U.S.C. 3001 (9) by adding the words "or was" so that it reads: "'Native American' means of, or relating to, a tribe, people, or culture that is, or was indigenous to the United States."
2002-2004	The Review Committee recommends strongly that Congress amend the definition of “Native American” at 25 U.S.C. 3001 (9) by adding the words “or was” so that it reads: ““Native American” means of, or relating to, a tribe, people, or culture that is, or was indigenous to the United States.”
1999-2001	No recommendation
1998	No recommendation
1995-1997	No recommendation